

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Timothy D. Miller,

Case No. 3:12 CV 3064

Plaintiff,

O R D E R

-vs-

JUDGE JACK ZOUHARY

Commissioner Social Security Administration,

Defendant.

This Court has reviewed the Report and Recommendation (“R&R”) of the Magistrate Judge filed February 19, 2014 (Doc. 18). The R&R recommends this Court affirm the Administrative Law Judge’s decision and dismiss Plaintiff’s Complaint with prejudice.

Under 28 U.S.C. § 636(b)(1), a party must serve written objections to the Magistrate Judge’s proposed findings and recommendations within fourteen (14) days of being served with the R&R, at which time this Court makes a de novo determination of those portions of the R&R to which objections were made. The failure to file objections within the time frame set forth in the statute constitutes a waiver of de novo review by the district court. *See United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Plaintiff’s deadline for filing objections has passed, and no requests for extension have been received. The R&R accurately states the facts and law, which this Court adopts in its entirety. Accordingly, this Court affirms the Administrative Law Judge’s decision and Plaintiff’s Complaint is dismissed with prejudice.

IT IS SO ORDERED.

s/ Jack Zouhary  
JACK ZOUHARY  
U.S. DISTRICT JUDGE

March 10, 2014